1 (2.00 pm)

2 RT HON ANN CLWYD MP 3 THE CHAIRMAN: Good afternoon. 4 RT HON ANN CLWYD MP: Hello. 5 THE CHAIRMAN: Well, good afternoon, ladies and gentlemen, and welcome. This afternoon, we welcome Ann Clwyd MP. 6 You have been active in promoting human rights in 7 8 Iraq since the late 1970s, I believe, and you have 9 served as the Prime Minister's special envoy for human rights in Iraq since 2003. I know you visited Iraq on 10 very many occasions and worked, if I may say so, 11 tirelessly to expose and investigate the crimes 12 committed by Saddam's regime, and you have, since his 13 overthrow, I know, done much work to help the Iraqi 14 people achieve full human rights and, indeed, to 15 investigate alleged abuses. 16

There is one thing I should say before we start: one 17 of the facets to the subject of human rights is the 18 19 treatment of detained persons in Iraq and there have 20 been allegations that members of the British armed 21 forces mistreated or abused Iraqi detainees. These are 22 being considered by other inquiries, as we speak, and 23 there are additionally ongoing investigations, court 24 cases and personal injury claims, and those are the 25 appropriate forums for considering those abuse

1 allegations.

2	This Inquiry will in due course decide its approach
3	to the general issues raised by such allegations, but we
4	will not seek to address them in this session.
5	There are two things I say on every occasion: we
6	recognise that witnesses are giving evidence based on
7	their recollection of events, and we, of course,
8	cross-check what we hear against the papers to which we
9	have access.
10	I remind every witness that they will later be asked
11	to sign a transcript of the evidence to the effect that
12	the evidence given is truthful, fair and accurate.
13	I'll ask Martin to open the questions.
14	SIR MARTIN GILBERT: Before the outbreak of the conflict in
15	2003, you and the INDICT organisation which you chaired,
16	were active, as the Chairman said, in drawing the
17	attention of the world to the abuses of the
18	Saddam Hussein regime. You pressed for action under
19	international law in several countries against members
20	of Saddam Hussein's regime.
21	Could you briefly describe to us your involvement
22	with Iraq before 2003?
23	RT HON ANN CLWYD MP: Yes, Sir Martin. It goes back
24	actually to the 70s, with before I was a politician.
25	There were Iraqi students in Cardiff and some of those

1 Iraqi students had already been in prison in Basra, and one was a student activist who had been tortured and 2 I was introduced to them by the National Union of 3 Mineworkers, because the National Union of Mineworkers 4 were very active internationally and they began to tell 5 me about things that were going on in Iraq. I had not 6 much knowledge of Iraq beforehand. Some of the things 7 8 were so terrible I hardly believed them myself. 9 I was also the chair of an 10 organisation called CARDRI, which is the Campaign Against Repression and for Democratic Rights in Iraq. 11 That was set up earlier, when I was at the European 12 Parliament, but in 1984, when I came back to the House 13 of Commons, I became the chair of CARDRI. It was an 14 organisation which, of course, had many Iraqis as 15 members from all over the world, and some of those 16 Iraqis who were old members of CARDRI are actually now 17 in government in Iraq, like the Prime Minister of 18 Kurdistan, Barham Salih, like the Foreign Minister, 19 Hoshyar Zebari. Those were all active members of CARDRI. 20 21 We had a very good secretary, who was an Iraqi, who 22 I only knew his first name, because, even in the 80s, 23 Iraqis living in London were very much afraid of being 24 detected, in case their families in Iraq were punished. 25 There were some Iraqis here already who were attacked,

people like Ayad Allawi, who became the first
Prime Minister of Iraq, he was attacked with an axe.
The secretary of our organisation was a young student,
an Iraqi student, from Najaf, and I never knew his
proper name. I only knew him by one name and it wasn't
until 2003, when he went back to Iraq to run a radio
station, that I actually knew his proper name.

8 He used to bring me in the House of Commons, every 9 two weeks or so, lists of people who have been executed 10 at the Abu Ghraib prison. Now, I would sometimes say to 11 him, "Look, is this true? Can you prove it? Because if 12 I'm going to put out a press release, I want to be sure 13 that it is accurate."

He would come back and say, "Yes, it is true", and 14 then, you know, this became a regular thing. Every two 15 weeks we had these lists of people who were being 16 executed at the Abu Ghraib, and CARDRI, in fact, 17 published books, pamphlets, newsletters and was very 18 19 active in trying to explain to the British public and 20 elsewhere, because there were CARDRI branches in other 21 countries as well -- trying to explain what was going on 22 there.

23 We published a pamphlet in 1981 called "Iraq: Terror 24 and Execution" with details of torture, and 25 Amnesty International also were doing the same thing at

the same time. In 1985 they told us that 400 war objectors in the Abu Ghraib told us the story of bodies -- and this was something that happens quite a lot throughout the regime. Bodies were drained of blood before execution because obviously the blood was then used, but people were actually, while they were still alive, they were drained of blood.

8 This particular man seemed to have very good access 9 to information, obviously he was a Shia from Najaf, and 10 so, you know, the Shia population in particular were 11 under attack.

Then, of course, there was the Iran/Iraq war in 1980 12 and then the campaign, the genocidal campaign against 13 the Kurds, and there were thousands we were told who 14 were arrested in a Kurdish city, Sulaimaniya, including 15 300 children. Again, bodies handed back to the 16 families, and the families, before they could collect 17 18 the bodies, actually were charged for the execution of their children before the bodies were handed over. 19

There was an Observer report at that time who said that Iraqi forces delivered 57 boxes of dead children and each dead child was drained of blood and their eyes gouged out.

In 1987, CARDRI published another document on
Abu Ghraib. Then in 1988, that was Halabja, of course,

1 where 5,000 Kurds were killed and some of those were brought to London -- to a London hospital. I was an MP 2 at the time and I took an all-party group of women MPs 3 4 to visit those people in hospital. You could see their 5 burns, they could hardly speak to you. Well, I think everybody now knows the story of Halabja, but of course, 6 there were many mini Halabjas before when the Kurds were 7 8 being attacked.

9 SIR MARTIN GILBERT: Were you raising these issues in the 10 House of Commons at this time?

RT HON ANN CLWYD MP: Yes, I was, I was raising them many 11 times. In fact a colleague of mine, Jeremy Corbyn, was 12 also very active in doing that. We went to the 13 Iraqi Embassy on several occasions, and the Iraqi 14 Ambassador always said he didn't know what we were 15 talking about, he didn't know about Halabja, and then he 16 would invite me to visit Baghdad, and I would say, "Only 17 if I can also visit the north", and he said, "I have got 18 no problem with that, but, you know, I will have to 19 check with Baghdad". So of course, I never actually 20 21 went to Halabja at that time.

I used to go to the Foreign Office and I can remember -- this was again in 1998 -- saying this to David Mellor, William Waldegrave, "Protest to the Iraqi Embassy", and they would always say, "There is no

proof", but of course, we all had the proof later because CARDRI actually got the proof when a known toxicologist went to Halabja and brought back earth samples and then we knew for sure that there was evidence in the ground.

Then, of course, there was the invasion of Kuwait, 6 1990/1991, and the taking of British hostages. People, 7 8 I think, sometimes forget that British hostages were 9 taken in large numbers, taken as human shields to Baghdad, and one of my concerns is actually that the 10 taking of these British hostages is not an issue now in 11 the trials which are going on in the tribunal in 12 Baghdad, because I think also they have a right to know 13 and questions put to the people who were allegedly 14 responsible for the taking of hostages. 15

16 Of course the taking of British hostages became an 17 issue for INDICT later on.

18 Then -- I was then Shadow Secretary of State for 19 International Development in 1991, and obviously I heard 20 about the Kurds being attacked by the helicopter gun 21 ships of Saddam Hussein and Neil Kinnock said, "Why 22 don't you go and find out for yourself?"

23 Well, as an ex-journalist, I always like to find out 24 for myself, see it for myself, and I went to Tehran, 25 I flew to Tehran, spent a couple of days trying to get

1 out of Tehran, and then some Ambassadors offered to take 2 me in their helicopter, because the Iranians had 3 organised for a helicopter for Ambassadors based in Iran 4 to go and see what was happening on the mountains.

We flew over in the helicopter and it was in the 5 middle of winter, there was snow and sleet. It was very 6 cold and all you could see was a line of Kurds, men, 7 8 women, children, in a long snake coming up the 9 mountainside. Some had come already, and when the 10 helicopter flew overhead they were putting their hands to their mouths showing that they needed food and, of 11 course, we had nothing to give them. 12

Well, the Ambassadors went back to Tehran and 13 I stayed and I talked to people on the top of the 14 mountain, some of the Kurds. They were dressed in very 15 thin clothing, some of them hardly had any shoes on 16 their feet. It was really a very upsetting sight, and 17 particularly women who had small babies in their arms 18 19 and came up to you with the small babies in their arms. 20 I was the only woman up there and they came up to me and 21 tried to push the babies at me. They wanted me to take 22 the babies, but some of those babies were already dead and it is a sight that, actually -- and a situation 23 24 which you never forget.

25

Then I came back to the House of Commons and I spoke

1 from the dispatch box and explained to my colleagues what I had seen and I called for a political resolution: 2 this simply could not go on. Of course, after the Gulf 3 4 war every region of Iraq rose up and attacked the 5 visible symbols of Ba'ath power, Saddam's palace, any centres of authority they attacked. And so, of course, 6 you know, there was really quite bloody vengeance 7 8 against the Kurds and the Shia, although we didn't know 9 about the Shia until much later on, because now we could go to Kurdistan, find out what was happening there. 10 The Kurds thought they knew what was happening in the south 11 but they didn't really know. 12 So there was a very violent suppression of that 1991 13 uprising against the Kurds and also the Shia. 14 SIR MARTIN GILBERT: Is this what led to the creation of 15 INDICT? Was this the impetus for it? 16 RT HON ANN CLWYD MP: Yes, eventually, because, you know, 17 also we knew about the draining of the marshes. Again, 18

19 we had no evidence because it was deep in the south, and 20 we didn't know that the marshes were being attacked in 21 the way that they were, being drained and attacked with 22 weapons and people forced to flee, and, obviously, they 23 were burning and trees were being chopped down 24 everywhere. In fact, there is a photograph going back 25 to the 40s of, you know, a heavily forested area and

1 when you compare it to what it looks like now, you
2 wouldn't recognise the place because there has been such
3 devastation.

Then I started going to the UN and listening to the UN rapporteur on human rights in Iraq, and, you know, he was saying things like, "Violations of human rights which occurred are so grave and of such massive nature that, since the Second World War, few parallels can be found."

Now, when I sat there at the UN and heard these statements and descriptions of how things were in Iraq, I just then couldn't believe how the UN could sit there, what appeared to be so passively, and not feel as outraged as I and many others did.

Then I talked to John Major when he was 15 Prime Minister, after I came back in 1991, and we talked 16 about safe havens and he acted very quickly to set up 17 those safe havens. Now, after 1991, again I made 18 19 several visits and this is leading up to INDICT, because, as Saddam's security forces fled, they left 20 21 behind in places like Sulaimaniya and Erbil, tonnes of 22 documents, which you all know about, tonnes of incriminating documents, about, you know, orders from 23 24 Tariq Aziz, orders from Ali Hassan Al-Majid, about what 25 to do about the Kurds, and they had things like identity

cards, and one of the identity cards described a man as
 official rapist.

I just want to just say briefly about rape as an 3 4 instrument of war, because I went to some of the refugee camps after 1991, because, obviously, before 2003, it 5 was only Kurdistan that I could go to. I went to 6 some of the refugee camps on the borders with Iran and 7 8 I can remember just one woman in particular who had been 9 a nurse and she asked me to come back into the back of the tent. She asked if she could talk to me and she 10 told me she was the last nurse in a hospital which was 11 under attack and she had locked herself in the bathroom, 12 but eventually she was found and then she was raped 13 repeatedly. Of course, in a Muslim society, rape is 14 such a disgrace that people do not like to talk about 15 it, obviously, and she was so relieved that she could 16 tell somebody that that had happened to her, but she 17 ended up by saying that it was an Iraqi soldier who 18 19 actually gave her his big coat eventually and helped her 20 to escape and she said to me, "They are not all bad". 21 So you know, it was worth going to those refugee 22 camps and talking to people to find out what their 23 feelings were.

INDICT was set up in late 1996. US and Kuwaitifunding for INDICT started in 1998. INDICT had on

1 its board a variety of people. Dr Latif Rashid, who is the Water Resources Minister now in Iraq; 2 Ahmed Chalabi, who was then very active with the Iraqi 3 national congress; Hamid Al Bayati, who is the Iraqi 4 UN Ambassador; and there was a professor from SOAS and 5 so on. We were all approached individually. I was 6 asked to be chair because of my involvement with CARDRI. 7 8 SIR MARTIN GILBERT: Was there British support? 9 RT HON ANN CLWYD MP: Well, in words, yes, but not 10 financial; no financial support, or, indeed, any other support. We appeared before a group in the US Congress, 11 which was, I think, mainly members of the 12 State Department, who grilled us very vigorously before 13 they allocated the money, which they allocated under the 14 Iraq Liberation Act, which, you know, some of that was 15 to go to Iraqi opposition groups, and that's how we were 16 able to then employ researchers full-time. 17 Every so often we would get visits from people from the 18 19 State Department to find out exactly what we were doing. The idea, first of all, was to set up an ad hoc tribunal. 20 21 That was the remit, to set up an 22 ad hoc tribunal. So I launched it in the House of 23 Commons and I launched it at the European Parliament in 24 Strasbourg. The idea -- the Americans told us 25 that under the statute of limitations they could not

1 take up these legal cases themselves, but we could in Europe because that statute didn't apply to us. 2 3 So then, after collecting evidence for a few 4 years -- and our researchers went to 15 countries in the world, and collected evidence -- we tried to get 5 indictments in various countries. We tried in 6 Switzerland, we tried in Belgium, we tried in Norway and 7 8 also in this country. 9 Now, you know, everybody listened to us very attentively everywhere and they were mainly indictments 10 against -- because victims lived in those countries and 11 you know, there were victims living in this country as 12 13 well. SIR MARTIN GILBERT: The indictments were intended against 14 15 individuals? RT HON ANN CLWYD MP: Yes, they were. We had a target list 16 of 12, whom we particularly concentrated on because 17 those were the main leaders of the Iraqi regime. 18 THE CHAIRMAN: Could I just ask: what was INDICT in terms of 19 its legal status? Was it a UK-registered charity, an 20 21 informal organisation? 22 RT HON ANN CLWYD MP: It was an NGO. Yes, it was, in terms of its charitable status, yes.¹ 23 THE CHAIRMAN: Okay, thanks. 24 25 RT HON ANN CLWYD MP: So we -- you know, we tried very hard

¹ Letter from Rt Hon Ann Clwyd MP 8 February 2010: "I would like to clarify the status of INDICT, beyond the answer I gave in my oral evidence. As I explained, INDICT functioned as an NGO. But for its funding and accounting purposes it was a UK-registered limited company."

1 to get indictments and we thought the evidence that we had, you know, was good because obviously our 2 researchers talked to a lot of people and took 3 4 statements from a lot of people but they only kept the best because we thought that eventually they would have 5 to stand up in court, you know, so there would have to 6 be really good cases. So they discarded a lot and kept 7 8 only the very best. 9 SIR MARTIN GILBERT: Were you able to get advice from the 10 legal officers here? RT HON ANN CLWYD MP: Indirectly, in that obviously we were 11 trying to get an indictment here. We had 12 Clare Montgomery QC as our legal adviser, who had been 13 involved in the Pinochet team in this country, and of 14 course was -- knew a lot about international law and the 15 possibilities of indictment. 16 The case she prepared, the main case, was against 17 18 Tariq Aziz. I mean Saddam Hussein as well, 19 Saddam Hussein and Tariq Aziz, but there had been some 20 ruling in the Congo v Belgium issue, where it was said 21 that heads of state were immune. Well, we knew, you 22 know, that international law was constantly evolving 23 anyway, and that, you know, there was -- we should still 24 keep the case against Saddam ready to go, but she 25 thought that our best chance was actually concentrating

1 on Tariq Aziz, because of his involvement with the 2 taking of British hostages, and, you know, because it 3 was of particular interest to the UK, and we thought 4 that, you know, we could take witness statements from 5 many of those hostages.

6 In fact, in November 2002, I held a press conference 7 in the House of Commons with the hostages because, you 8 know, I could see that we were moving towards war and 9 I had never wanted a war. I thought the -- you know, 10 the Iraqi people had suffered enough with, you know, the 11 major Iran/Iraq war and after that.

So it was a bit of desperation from me, actually, 12 because we kept waiting for replies from the 13 Attorney Generals, and I think you have got all the 14 comings and goings set out in the documents that 15 I provided, and, you know, in some cases I was actually 16 almost, when I spotted an Attorney General at the House 17 18 of Lords end, I would chase after them, because we were 19 waiting for answers all the time and we weren't getting 20 the answers, and, of course, the first Attorney that we 21 were dealing with. Unfortunately, he died, but he did 22 refer the case of Tariq Aziz to Scotland Yard, and 23 I said to him at the time, when he told me, I said, "You 24 are kicking it into the long grass", and he said, "No, 25 no. This is good news for INDICT. Why don't you put

1

out a press release saying it is good news?"

Frankly, I didn't believe it was good news because what we wanted was for him, the Attorney, to take action and not refer the case to Scotland Yard.

However, since he had referred the case to Scotland 5 Yard, we then had a meeting with a Chief 6 Superintendent Bunn, I remember, and the board of INDICT 7 8 went along as well. The Attorney had said that further 9 evidence was needed, but he didn't specify what the further evidence was, and, you know, we knew at that 10 time that Scotland Yard was very occupied with terrorist 11 attacks, so we said to Chief Superintendent Bunn, "Look, 12 you know, if there is anything we can help you with, 13 there are Iraqis here, we have got the knowledge and, 14 you know, we can perhaps save you a lot of trouble". 15

But eventually Scotland Yard didn't pursue anything, I don't think, very actively. Maybe they didn't have the personnel or they were concentrating on what they thought was more important.

There were even cartoons rubbishing INDICT, actually. I remember one, it was in the Daily Express. It showed Saddam Hussein sitting behind a desk and a London policeman walking towards him and saying, "Hey come with me". Well, you know, clearly that was an attempt to ridicule what we were trying to do and

suggesting that it was an impossibility, but obviously,
 I still believe that it was a possibility and that it is
 to my great regret that it wasn't done.

SIR MARTIN GILBERT: We are now, of course, almost ten years
into the sanctions regime and I think Sir Roderic -SIR RODERIC LYNE: I wonder if I can just pick up from there
with a question of where sanctions had got to in the
year 2001/2002, two years before the military action
actually occurred.

10 We were by then in a situation in which the deep suffering of the Iraqi people, which you have already 11 talked about and which you talk about in your witness 12 statement, was becoming much more widely known, partly 13 as a result of the activities of people like you and 14 your colleagues, and there was, as we have heard from 15 many other witnesses a widespread perception that the 16 Iraqi people were suffering because of sanctions. 17

You deal with this in your witness statement. You 18 19 note that the humanitarian impact of sanctions was 20 exacerbated by the way that Saddam's regime treated the 21 people. You say sanctions were having some effect, 22 smarter sanctions could have had more of an effect, but 23 you did have these problems of the humanitarian impact 24 and the abuse of the sanctions system the way they were 25 manipulated by the regime and I think those were all

1 very important points.

2	My question is this: the trade sanctions which were
3	the sanctions that were accused of causing this
4	suffering, were only part of a wider policy of
5	containment that had several other instruments. The
6	arms embargo, which was clearly effective in stopping
7	further stuff getting in to a significant degree,
8	a Naval embargo, the stationing of deterrent forces in
9	neighbouring countries, the No Fly Zones.
10	But just looking at the sanctions, the trade
11	sanctions, did you feel, as somebody who obviously knew
12	much more about the situation inside Iraq than most,
13	that at this point sanctions were leaking and weakening
14	to the stage at which they were ceasing to become
15	effective or sustainable, or whether they could have
16	been reinforced if one could only deal with, if you
17	like, the PR problem that they were creating with clever
18	manipulation around the world.
19	RT HON ANN CLWYD MP: Obviously I wanted smarter sanctions.
20	I had been crossing the border from 1991 onwards, every
21	two years, from Turkey to Kurdistan. When I first
22	started crossing that border, I would say there were
23	probably about 200 trucks a day going across the border.
24	They were laden, you know, up to the roof with goods and
25	underneath there were petrol tanks, oil-carrying tanks,

1 and every time I went, you know, every two years, I would see a huge increase in the number of trucks, and 2 by the end, I would say, you know, by up to 2003, there 3 were probably 2,000 trucks a day crossing that border. 4 Now, they were not -- I believe they were carrying 5 a lot of goods into the country, goods that were not 6 supposed to be taken in. The kind of check on the 7 8 borders was cursory, I mean, it was laughable, given the size and the numbers of the trucks. I even at that 9 10 time, because I had observed this, I went with some colleagues to the United States to say in the 11 United States, "Look, you know, what are you going to do 12 about smartening the sanctions?" and you know, everybody 13 was interested in eye-witness accounts, of course, but 14 I didn't see much change. 15

Of course I knew about the smuggling in the south as 16 well, across borders. I knew, you know, that the Iraqis 17 were suffering, but I also knew that under the Oil For 18 Food programme it took Saddam a long time to agree the 19 20 terms of the Oil For Food programme. So, you know, when 21 they could have been having essential medicines and 22 foods, the regime itself was not playing the game. 23 SIR RODERIC LYNE: It was deliberately denying them to some 24 sections of the population?

25 RT HON ANN CLWYD MP: Absolutely, it was, and then I was on

1 the International Development Committee at that time, the Select Committee on International Development, and 2 there is quite a lot of argument amongst my colleagues, 3 you know, many of my friends in Parliament took 4 a different view from me. I know there was one 5 particular friend, the late Bernie Grant, who was on our 6 International Development Committee and Bernie was 7 8 always arguing against sanctions.

9 So I persuaded the committee to actually take 10 evidence on sanctions, which is what they did, and we 11 wrote a report, which I think I have referred to in one 12 of the documents, and we had witnesses like 13 Jeremy Carver, who was then head of international law at 14 Clifford Chance, and he told us:

15 "It is not the imposition or maintenance of international sanctions, but the policies of 16 Iraqi Government, which are the primary cause of this 17 18 suffering. The Iraqi regime has cynically exploited 19 sanctions, both to justify its neglect of its own 20 population, and as a tool to solicit external support 21 for its reconstructed ambitions. A government which 22 delights in showing foreign Parliamentarians suffering 23 infants, when the warehouses are overflowing with food 24 and medicine undistributed for years, surely reveals 25 itself, save to the gullible."

1 You know, there were several witnesses who said --Dr Latif Rashid argued against the removal of sanctions. 2 He said it would only strengthen the regime if the 3 4 sanctions were removed. Then, of course, we know now from the Volcker Report that there was quite cynical 5 manipulation by the Iraqi Government of the Oil For Food 6 programme, and I mean, the Volcker Commission found that 7 8 the Iraqi regime was able to make approximately 9 \$2 billion from abusing the Oil For Food programme by 10 such methods as false pricing, bribes through suppliers, but its main source of income was oil exports outside of 11 UN control, which generated a total of around 12 \$12 billion mainly through trade protocols with Jordan 13 14 and Turkey. SIR RODERIC LYNE: So what all of this amounted to really 15 was that sanctions were no longer working very well at 16 this stage. In May of 2002, a smart sanctions 17 18 resolution was adopted, as you know, in the Security 19 Council, the goods review list, but by then the Bush 20 administration in Washington had already initiated, as 21 we have heard from other witnesses, military planning 22 for an invasion, although it hadn't taken the final 23 decision at that stage.

24Then, if we roll the clock forward to the25following March, you then get to the point in March 2003

1 when the -- again, the attempt to get the final
2 UN Resolution fails, the inspectors don't feel they have
3 finished their job, but they are obliged to leave and
4 military action starts.

5 At that point, did you feel that with all your 6 knowledge of Iraq and the Iraqi people and what you said 7 earlier about your hope that there wouldn't be another 8 war -- did you feel that it was right at that stage to 9 take that military action?

10 RT HON ANN CLWYD MP: In February 2003, before war was declared, I was on a visit with INDICT people to 11 Kurdistan. Again, we were collecting evidence, and 12 I was taken by the wife of the President of Iraq, 13 Jalal Talabani. I was taken by his wife, who was in 14 Kurdistan at the time, to the border with Iraq and 15 Kurdistan, which is an area called Chamchamal, and she 16 pointed towards the hillside where there were rocket 17 18 positions and she said, "That's where they are going to 19 fire the chemical weapons at us", and we didn't stay there very long. She said, "Let's get away from here. 20 21 It is dangerous to be here", and it was then, at that 22 time, when I saw the Kurds were fleeing from the towns, the Kurds actually were, you know, going in cars, buses, 23 24 all sorts of things out of the towns into the country 25 because they believed that chemical weapons were

1 going to be used against them again, and I can remember, in fact, Jalal Talabani, who was also in Kurdistan at 2 that time, asking me to ask Tony Blair, when I returned 3 4 to the UK, for chemical weapons protection suits. Now, the Kurds had their own intelligence and, you 5 know, when you saw women going into the market and 6 buying piles of nappies because they thought they could 7 8 put the nappies over their faces to protect them from 9 chemical weapons, you realise that people there took the very threat seriously indeed, the threat of Saddam 10 attacking them again, and for the first time --11 SIR RODERIC LYNE: Despite the fact that there was 12 a northern No Fly Zone providing a canopy over Kurdistan 13 at this time, they still felt --14 RT HON ANN CLWYD MP: They still felt very vulnerable. 15 SIR RODERIC LYNE: So when the coalition decided on 16 20 March -- initiated action on 20 March, did you feel 17 at that stage that this was the right thing to do? 18 RT HON ANN CLWYD MP: Can I go back just sort of two minutes 19 20 before, to being in Kurdistan again? The Kurds had 21 never told me before that they wanted to war. I mean 22 they had their uprisings, you know, against the regime, 23 the Kurds in the north and the Shia in the south, but 24 I had never ever heard them say, "We want a war". They 25 had tried to overthrow him -- Saddam's regime

1 themselves, but never had anybody said, "We want a war". But this time they said to me, "There is no other 2 way", and that's the first time I ever heard the 3 4 Kurds -- and I have a very long association with them -say that. "There is no other way". So when I came back 5 and we had this debate at the beginning of February --6 the beginning of March -- middle of February in the 7 8 House of Commons, and I spoke then explaining what I had 9 just heard and seen in Kurdistan, and I said for the first time that, you know, with INDICT over the years we 10 had tried every way, with sanctions we had tried, but 11 12 actually even that twin-track approach had not managed 13 to move the regime. So I felt myself there was no other option. 14 I didn't feel that I could go back and face the Kurds 15 and say that I had argued any other way because 16 I couldn't on the basis of what I had heard. 17 SIR RODERIC LYNE: Thank you. 18 19 THE CHAIRMAN: Martin? SIR MARTIN GILBERT: In May 2003 the Prime Minister 20 21 appointed you his special envoy on human rights in Iraq. 22 Could you tell us what you saw as your job and what were 23 your reporting arrangements? 24 RT HON ANN CLWYD MP: Well, I had terms of reference, which 25 you know -- quite a long list there of the terms of

1 reference. But obviously I saw it -- because of my contact with Iragis over the years, you know, I now knew 2 people that were in government in Iraq, like the 3 4 President Jalal Talabani, like Latif Rashid, the Water Resources Minister, Hoshyar Zebari, the Foreign 5 Minister, and many, many others who had been members of 6 CARDRI and who had supported INDICT, Hamid Al-Bayati and 7 8 others.

9 So I felt that I did have a particular friendship 10 with those Iraqis and that, if I could help in improving 11 the culture of the perception of human rights in Iraq, 12 that really that should be one of the main issues, 13 because obviously, you know, a country that has been 14 abused for 35 years, human rights is not a phrase that 15 trips lightly over the lips.

So I felt -- and I still feel actually -- it takes 16 a long time to change those perceptions -- it can't be 17 done in a short time -- and so I started -- I also --18 19 originally, detention issues was not in my terms of 20 reference, but I did argue that they should be, because, 21 you know, I knew that what happened to people in 22 detention needed an outside voice to actually blow the 23 whistle on occasions, and so there was some resistance, 24 but eventually it was put into my terms of reference. 25 So, of course, I started visiting prisons, I talked

1 a lot to the Americans, because the Americans were sharing the same building in Baghdad at that time and 2 3 Mr Bremer was in charge of the operation there and the 4 British were there and so we talked about some of these issues. One of the first things that struck me was --5 because, again, because of my friendships with Iraqis, one of my 6 Iraqi friends had a brother who had been a General in Saddam's army. 7 8 He was now in a staff college, but he was a General, and 9 immediately after 2003, my friend rang me up and he 10 said, "Do you know what is happening with the military? Because there are lots of the military that my brother 11 knows who would help the British. There are 50 to 100 12 senior Iraqi officers who are ready to help the 13 14 coalition".

Well, obviously, I passed that information on. 15 But, you know, the army wasn't there anymore, but they were 16 queuing up in very hot weather for their pensions, for 17 their stipends, and I discovered that the man -- the 18 19 brother of my friend had been queuing up every day for 20 two weeks, and he was a senior, you know, army officer, 21 and yet had never got to the front of the queue. He 22 said -- I spoke to him eventually, and he said to me, you know, "If they want to humiliate us, this is the way 23 24 of doing it".

25 SIR MARTIN GILBERT: Were you reporting this back to London?

1 RT HON ANN CLWYD MP: I was, yes -- well, to the Americans, 2 because, you know, on the ground, and also I was 3 obviously telling Mr Greenstock what was going on at the 4 same time. So I was telling the Americans and the 5 British but the Americans were mainly in charge in Baghdad and so I would go straight to Bremer and tell 6 Bremer what was going on and he argued with me. 7 8 He said, "Oh, nonsense, all the -- you know, the 9 senior people have received their pensions". So I said, "Well, they haven't". So I gave him the name and 10 address of the person I was talking about, and somebody 11 went away and came back half an hour later and said, 12 "Sorry, they must have slipped through the net". 13 Well, I think many people slipped through the net 14 actually, senior people, who could have been used in 15 those early stages to help the coalition and wanted to 16 help the coalition. 17 SIR MARTIN GILBERT: How long were you there? What period 18 19 of time? RT HON ANN CLWYD MP: Well, I was usually there for a week 20 21 at a time, because, if you are an elected member of 22 Parliament, you have such things as whips and you have 23 to ask for permission to be away, and I would have liked 24 to have been there much longer, but a week was about the 25 most I could stretch it at a time, but obviously I was

in touch with Iraqis in London who had relatives in
 Iraq. So I was constantly hearing about, you know, what
 was going on and what could be better.

One of the things I got from a large Shia 4 group at that time when I went to meet one of their 5 leaders, was what they said they had picked up and 6 believed that they were orders from Saddam about how 7 8 a defeated army should behave, if he himself was not 9 there any longer or had gone into hiding, and, you know, 10 there was a list of things about how they should go underground and then re-emerge later. 11

Well, I couldn't prove the authenticity of the particular document -- I think I mentioned it to people but, you know, I didn't know whether it was authentic or not, but, subsequently, many of the things that happened followed the instructions in that particular document. SIR MARTIN GILBERT: Were you able to discuss these issues with the Prime Minister?

19 RT HON ANN CLWYD MP: Oh, yes. I mean, every time I went to 20 Iraq, I discussed these things with the Prime Minister 21 and also I was in telephone communication with the 22 Prime Minister, so if something needed doing as a matter 23 of urgency, then, you know, obviously I would 24 communicate that fairly rapidly.

25 SIR MARTIN GILBERT: Did you feel that your requests were

1 being attended to? Did you see results as a result of what you were suggesting and proposing? 2 RT HON ANN CLWYD MP: Yes, I did, although it was so 3 difficult in those early days, 2003. I went there --4 5 I think you have got a list of my visits, the number of times I went there in those early days, and obviously 6 each time I was there, I learned something new. 7 8 So I was there a few weeks later and I followed, 9 again, several of the issues that I was concerned about, 10 particularly the excavation of the mass graves, because that had started at that time and there was concern 11 about the protection of evidence, because, obviously, 12 one Iraqi I remember told me before 2003, "Iraq is one 13 mass grave", and as the mass graves emerge, I think it 14 is certainly true. 15

But in 2003 they started excavating the Al-Hillah 16 sites near Babylon, and I went there to look at what was 17 18 going on because there was a UK forensics team also 19 working there and giving assistance to the Iraqis about 20 how to handle evidence, because -- I mean, it looked 21 like a moonscape, it was so huge, the site. They 22 estimated -- I don't know if they've revised the 23 estimates since, but there were 15,000 bodies actually 24 buried at that site in Al-Hillah, which is near Babylon, 25 and I thought it was a very sad way that the Iraqis had

1 to go to those sites, because you saw elderly women --2 when they excavated bodies, I think they excavated several thousand in that first round -- if there was no 3 4 identification with the body, they would then put -- or rather, if they found identification, but couldn't 5 identify the name of the person or persons, they would 6 then put their possessions in a plastic bag on the top 7 8 of the grave and rebury the body, and, you know, old, 9 old women were going round these sites, looking inside 10 these plastic bags and pulling out a watch or a ring or a piece of cloth or a lighter just to see if they could 11 identify them, and I thought, you know, that was really 12 a very great concern to see people having to try and 13 identify their lost relatives in that way. 14 SIR MARTIN GILBERT: I remember seeing one of your reports 15 exactly on that. One last question from me. How did 16 your work in Iraq -- how did your task evolve between 17 2003 and 2009? 18 RT HON ANN CLWYD MP: Well, there was such a number of 19 20 issues. There was one -- again, the protection of 21 evidence was very important and one of the inspiring 22 things about the way the Iraqis coped with the situation 23 was that they set up organisations themselves, NGOs, 24 non-governmental organisations, and one of the most 25 striking was the Free Prisoners' Association.

1 They were all people who had been prisoners of the 2 regime and had been released, you know, under various amnesties. They, at the end of the war, because, you 3 know, people did not protect evidence well enough --4 5 they were going into schools, they were going into hospitals, they were going into prisons, and they were 6 just picking up everything they could find, 7 8 documentation, pieces of film, anything, and obviously 9 record books of executions, because the regime, you know, like the Nazis, kept evidence very -- they put 10 everything down. Even how many bullets they used to 11 kill people, methods of execution, everything was 12 documented. 13

There was a lot of photographic evidence as well, 14 like in Cambodia, where they took photographs of 15 the victims and then they had a huge record of 16 photographs of their victims, and the Free Prisoners' 17 Association, it was complete chaos there. I went there 18 for the first time and I took some Kurds with me and it 19 was an example of where, you know, the Kurds in the 20 21 north and the Shia in the south didn't actually know 22 during the regime what had happened to the other parts 23 of Iraq.

They were hugging one another and saying, "You are my brother, you have suffered like I have" and it was

1 very, very moving because by that time -- as time went 2 on, they got about 20,000 names of people who had been executed and, as they put them, they had one computer, 3 4 they were feeding it into the computer and you could 5 see, you know, as the names came up, all these people came, all these Iraqis came into the building to try and 6 see if somebody, a missing husband, son, daughter was 7 8 there, because it was the first proof they had that they had actually been executed, and I got the Kurds actually 9 10 to come and help them a bit more and they gave them desks and computers and so on to help them with the 11 12 documentation.

I can remember one woman getting hold of me, a woman 13 dressed in black, grabbing me as I came out and she 14 said, "Help me, help me", she said. "I'm a dentist 15 educated in the UK. I have lost three of my sons. Can 16 you find out if they are on any lists?" So people were 17 very desperate, you know, in 2003, to find out what had 18 happened to their relatives under the regime and that's 19 ongoing work. They then set up about 17 centres all over Iraq. 20 21 Then the other thing,

22 if I can just mention about 2003,

23 was that people -- you know, people were still being 24 scooped up, being arrested and put in detention, and 25 very often their relatives didn't know where they were,

1 and on my second visit to the Abu Ghraib prison I raised this issue because it was causing great unrest amongst 2 the Iraqis because they still didn't know where 3 4 relatives were still disappearing to and why they disappeared, and I particularly, you know, I mentioned 5 this to the Americans and I went to one of the centres 6 that they had set up to give people information, but 7 8 unfortunately they were staffed by people that didn't 9 speak Arabic, who couldn't read the Arabic names, and, 10 therefore, there was even more confusion with long queues of people outside wanting to know, "Were they 11 under arrest? Where were they? What had happened?" and 12 13 so on. That, you know, was another issue at that time, 14 I think, which caused great consternation and we --15 I did ask the Americans to address it and things 16 improved the following year a bit. 17 SIR MARTIN GILBERT: Thank you very much. 18 19 THE CHAIRMAN: I'll turn now to Sir Lawrence Freedman, 20 I think, and in a few minutes we will probably want to take a break. Sir Lawrence? 21 SIR LAWRENCE FREEDMAN: Thank you. Just one other 2003 22 23 issue, de-Ba'athification. You will have been dealing 24 with people who are clearly very angry with the Ba'ath 25 regime and the party members. Yet we have also had

1 a lot of evidence from people who saw -- at least lower
2 down, if not the top people, these were those who would
3 provide administrative capacity. What was your view of
4 de-Ba'athification? Did you see it as something that
5 had gone too far or unavoidable, given the anger amongst
6 the population?

RT HON ANN CLWYD MP: I can understand the anger, obviously, 7 8 and the suspicion of anybody who was closely identified with the Ba'ath Party, because if they had positions of 9 10 importance, they were usually considered to be supporters of the regime, even though there were lots of 11 people who were members of the Ba'athist party and who 12 weren't particularly active in doing things for the 13 14 regime.

But again, if I can talk about my friend the 15 Water Minister, because I remember I went into his 16 department, when he first took over and his department 17 18 was temporarily in the old Oil Ministry and he told me 19 what had happened when he had first gone there. He said 20 there was great concern amongst the staff -- I think he 21 had about 600 staff -- and he started off on the first 22 day by getting rid of the top two or three, and then he 23 called all the staff together and he said, "Look, so 24 long as you are working with me for the future of Iraq, 25 you are going to be safe in your job", and I actually

1 think that that's one of the most successful -- it was believed to be one of the most successful ministries 2 3 presently operating in Iraq. 4 SIR LAWRENCE FREEDMAN: So your view was that so far down 5 that it was unwise to go further? RT HON ANN CLWYD MP: Yes. 6 SIR LAWRENCE FREEDMAN: Can I change tack completely really 7 8 and just put to you something that was in Human Rights 9 Watch's world report for 2010, recently come out? It 10 says this: "Human rights conditions in Iraq remain extremely 11 poor especially for displaced persons, religious and 12 ethnic minorities and vulnerable groups such as women 13 and girls and men suspected of homosexual conduct." 14 Do you find that judgment disappointing after this 15 16 time? RT HON ANN CLWYD MP: I think it is disappointing but 17 understandable. I think -- you know, everybody has 18 19 expected everything to have happened overnight after 20 2003, that improvements would take place the next year 21 or the following year, and I think any experience after 22 major wars has shown that it takes longer than people 23 expect. 24 I obviously have been looking at the situation of 25 women, when I was in Kurdistan earlier last year,

1 I talked in particular to two women members of the 2 Kurdistan regional government. I went to prisons where 3 women were being held and some of those women were there 4 on a charge of adultery, you know, and I just looked at them and I said, "Where are the men then?" because, you 5 know, to put women in prison on charges of adultery is 6 quite clearly ridiculous, and I subsequently talked to 7 8 the then Prime Minister of Kurdistan about this and they 9 are -- they have changed some of the laws, for instance 10 on honour killing, so-called honour killing. That is now a crime in Kurdistan. So progress is being made 11 slowly, but even for me, you know, I have been going 12 there to Kurdistan since the early 1990s, I had no idea 13 that women could be imprisoned on that kind of charge. 14

There is a great shortage of things like refuges for 15 women because violence against women, unfortunately, has 16 either been reported more or is increasing and there are 17 very few refuges. There are a few more in Kurdistan 18 than there are, I think, in the rest of Iraq, but 19 20 Kurdish regional government certainly has seen the 21 importance of setting up places of safety for women who 22 have -- who need to leave an abusive situation. 23 SIR LAWRENCE FREEDMAN: One of the other things this report 24 says, and what you have just been talking about, is that 25 the causes of violence against women are often people

1 connected with the security forces as well as with the militias and that, even in those cases, prosecutions are 2 very rare. It is actually quite hard, even if the 3 4 abuses are well-known, to get people prosecuted for 5 them. RT HON ANN CLWYD MP: Yes, that's true. It's very hard to 6 7 generalise about Iraq. SIR LAWRENCE FREEDMAN: I appreciate that. 8 9 RT HON ANN CLWYD MP: Very hard. You know, the Kurds have 10 had a long lead over the rest of Iraq and, you know, even in Kurdistan things are not exactly as we would 11 wish them to be, and there have been increases overall 12 in violence against women. I met a German 13 non-governmental organisation while I was there in 14 Kurdistan in March, and they were talking about things 15 like, you know, increase in honour killings, increase in 16 FGM, female genital mutilation, which again is a cause 17 18 for concern, and this is one of the things we are trying to organise now with the Kurdish regional government, 19 20 a conference which brings women from the south-east of 21 Turkey, Kurdish women from the south-east of Turkey, and 22 women in Kurdistan together, plus the UN, to discuss 23 some of these issues. 24 SIR LAWRENCE FREEDMAN: Two reasons why people might be

25

concerned as to what has happened over the last five or

1 six years, in addition to what you have just mentioned generally in the aftermath of war, is, first, the rise 2 of militias and criminality more generally, general 3 lawlessness, but also a move from a state that was, for 4 all its many, many faults, which you have demonstrated 5 to us with great eloquence, secular, to one where there 6 are attempts to push rather extreme versions of Sharia 7 8 law, and a number of women's group, as you know, have 9 been very concerned about women's rights in terms of 10 marriage, divorce, inheritance in addition to questions 11 of violence.

Do you see any progress in that? Not obviously to challenge the rights of Sharia law, but to moderate these tendencies.

RT HON ANN CLWYD MP: I see progress in all areas. 15 I have always been optimistic about the future for Iraq and one 16 of the reasons for that is I monitored the elections in 17 Basra, the first elections, in 2005, which was, you 18 19 know, a particularly joyful occasion, because people 20 were voting for the first time, and you know, it reminded me of being in South Africa when I monitored 21 22 the first elections there.

23 People came out with their black fingers and they
24 were waving them in the air at us saying, "There, we
25 have voted". There was an attack on one polling station

1 in Basra in 2005, but apparently the women -- women had turned out in great numbers, you know, about 80 per cent 2 turned out to vote in those first elections in 2005 and 3 4 there was a rocketed attack on one of those polling stations which was mainly filled with women at the time, 5 and, apparently, they all stood there and sang and 6 defied those people that were attacking them, and the 7 8 same now for the election -- for the provincial 9 elections.

You can see that the secular is winning over the religious, because more secular parties, more secular candidates got elected in those provincial elections. Again, there is a 25 per cent quota for women, which is much better than ours in the UK, and you know, the 25 per cent quota I think is extremely important because it is also so for the next elections in March,

17 25 per cent quota.

Some women are complaining. Some women in Iraq are saying, "Oh well, this shouldn't be the top level, we shouldn't put 25 per cent, it should be higher".

21 So you, know, there is that kind of defiance which 22 is very apparent, and the women, I think, particularly 23 the women who have been elected, sometimes for the first 24 time in politics, they are very vigorous, determined 25 women. Not long ago, when the Speaker of the Parliament

chided the women for not being at home in the kitchen,
 all the women MPs walked out, of every party, they just
 walked out, and that speaker was eventually forced out
 of the chair and a new speaker was elected.

5 I met a group now, when I was there just before 6 Christmas, of Iraqi women politicians and they are 7 always pleased when I go there. They say, "You haven't 8 forgotten us", maybe, you know, it has been a few months 9 since I have been there. They like to feel that we're 10 taking an interest in what they are trying to do there.

They had a committee which was discussing the new 11 NGO law. Now, the new NGO law, it was important that it 12 went through, otherwise a lot of NGOs would have been 13 pushed out of existence, and we encouraged them. 14 I personally encouraged some of the individuals there to 15 try and get it through before they break for the 16 elections, and I got a note last week from them to say 17 18 it has been passed.

So you know, progress is being made all the time in all sorts of ways and I'm just very heartened by the quality of women whom I find there, of all denominations, who are playing a active role. Some of them are quite shy, because, you know, they have never been in those kinds of positions before, but they seem to gain in confidence every time I meet them.

1 SIR LAWRENCE FREEDMAN: Can I just ask you one more issue separate from that issue before, I think, the Chairman 2 will probably want to break? I don't know whether you 3 4 know -- you mentioned about this, but one of the issues 5 through all denominations is the position of Christians in Iraq. I think there were about 1 million in 1980. 6 That's down to about 600,000 or something now, and there 7 8 have been stories of churches being bombed, executions, 9 kidnaps and so on.

Do you have any sense of that tendency being reversed as well as conditions being -- this is one of the oldest Christian communities in the Middle East.
RT HON ANN CLWYD MP: You know, it is Christians, Mandaeans, Yazidis ...

SIR LAWRENCE FREEDMAN: There are a number of minorities. 15 RT HON ANN CLWYD MP: I met several groups. I met groups of 16 all denominations again in Basra. Also, when I was in 17 18 Kurdistan a few months ago -- and you know, they have 19 all got different views on what ought to be done. One 20 group was saying to me, "We would like an enclave so 21 that we feel protected". Those weren't Christians, they 22 weren't arguing for that, but other groups have argued 23 for that.

I always contacted the Human Rights Minister, you
 know, if I heard of these abuses against religions, and,

1 indeed, I know that when people were attacked in Mosul not so long ago, she sent people from her office to 2 assist, and I realised that, you know, religious groups 3 4 are moving about the country, some are going out to the country. But this is something that I always bring to 5 the attention of the President of Iraq and the 6 Prime Minister, because, you know, freedom of religion 7 8 and association is important. SIR LAWRENCE FREEDMAN: Indeed. Thanks very much. 9 THE CHAIRMAN: Let's take a break for about ten minutes and 10 then come back. Thank you. 11 12 (3.05 pm) (Short break) 13 14 (3.21 pm) THE CHAIRMAN: Welcome back, and I would like to turn to 15 Baroness Prashar to take up the questions. Usha? 16 BARONESS USHA PRASHAR: Thank you. I want to really look at 17 18 the question of how you went about instilling the human 19 rights culture and dealing with issues of the rule of 20 law, because you describe very graphically about the 21 abuses that you saw and your objective to create a human 22 rights culture, and you mentioned that there was 23 an appointment of a Human Rights Minister and so on. 24 Before I get on to that, can you tell me a little 25 about the work you did in improving the Iraqi judicial

processes? Because that is good underpinning to the rule of law.

RT HON ANN CLWYD MP: The setting up of the courts obviously 3 4 happened in 2005. This was when they first started 5 trying cases there. The government, the British Government helped out quite a lot with that in 6 training courses for judges in London, with --7 8 eventually providing somebody who went to assist once 9 the cases started, and obviously security was very 10 important, witness protection, because, as you know, several judges were shot dead, and it was -- it was 11 dangerous for lawyers and witnesses because, you know, 12 the judges, I think, were exceptionally brave, certainly 13 the ones we met in London, who went back and tried the 14 15 regime.

BARONESS USHA PRASHAR: Was there commitment to this within 16 17 the Iraqi Government and were they actually giving you the necessary security support that you needed? 18 RT HON ANN CLWYD MP: Yes, they certainly were. I hope that 19 20 the Inquiry will have a chance to go to Iraq some time, 21 if you have time, because -- to see for yourselves the 22 set-up of the tribunal, which obviously is very highly protected. I met the chief judge, the President of the 23 24 Tribunal, while I was there this time.

25 Our whole visit this time was disrupted with bomb

1 attacks, there were five bomb attacks when I was there. I met with the judge in the Central Criminal Court and 2 3 I was discussing with him the death penalty, because obviously it is something that I say every time I go, 4 when I have the opportunity to say, "Of course, you know 5 that we are opposed to the death penalty", and we were 6 in the middle of a discussion, because I was asking how 7 8 many people he had on death row and he was telling me, 9 "Oh", he said, you know, "We know your views on the death penalty, but when I go out on the streets, people 10 are shouting at me 'When are you going to hang more of 11 them?'" 12

As we were in the middle of this discussion, the 13 first bomb went off and he said, "That's a door 14 slamming", because we all looked at one another, and 15 then the second bomb went off and the next thing the 16 security men were pushing me out of the room and saying 17 "Go", and we were in the middle of this discussion on 18 19 the death penalty, because I was making the point why we 20 did away with the death penalty, and I would have liked 21 to have gone back and said, "It is not a deterrent, is 22 it?" because people continue in these kind of attacks. 23 BARONESS USHA PRASHAR: Sorry to interrupt you, but these 24 conversations that you have, you obviously try to 25 influence them through conversations in terms of -- is

1 that then underpinned by the sort of activity about 2 training and support? I mean, how is this then 3 sustained?

4 RT HON ANN CLWYD MP: You know, I'm not the only human 5 rights operator, you know. I'm just one person. I try and do it through the Iraqis, because obviously I have 6 got access in a way that perhaps few other people have, 7 8 because of personal friendships when things were very 9 hard for some of the people, who are now in government 10 there, when they were living rough in the mountains and so on, and so I'm able to say things to them directly. 11 Obviously we have been helping through our police 12 training, through our training of judges --13 BARONESS USHA PRASHAR: When you say "our police 14 training" -- I was going to come to that -- what sort of 15 support have you been giving to them on police training? 16 Because the evidence we have had shows that our kind of 17 18 model is not necessarily relevant. 19 RT HON ANN CLWYD MP: They have never actually said that in 20 my hearing. I haven't heard that from the Iraqis. In 21 fact, they want more of the British. They have always

said, I have to say, right from the beginning, you know,
"The British understand us. We would like more of the
British to come here, and, you know, we don't want you
to go away. We would like more help from you".

1	That's why they can't understand Inquiries like
2	this. The Iraqis always say to me, you know "the biggest
3	weapon of mass destruction was Saddam" "Why are you
4	still operating in this area? What we need is your help
5	and your attention", and obviously the Iraqis can pay
6	for a lot of things themselves now, but nevertheless
7	they appreciate the guidance that we can give them and
8	we have had police trainers there. We have also had
9	them in round tables.
10	BARONESS USHA PRASHAR: Who has provided those police
11	trainers?
12	RT HON ANN CLWYD MP: The UK.
13	BARONESS USHA PRASHAR: I mean, they've come from the
14	Metropolitan Police, through DFID? Where have they come
15	from?
16	RT HON ANN CLWYD MP: The FCO, DFID you know, they are
17	people who have been back to Iraq several times as well,
18	and, you know, people do really appreciate them.
19	It has been important to have prison advisers
20	because, obviously, you know, some of the things that
21	have gone on in the Iraqi prisons and are still going
22	on, I am afraid, you know, they need more training on
23	how to treat prisoners correctly. Therefore, I think we
24	have got an important and ongoing role there.
25	BARONESS USHA PRASHAR: In your role as an envoy where you

1 go and have these conversations you try to influence 2 through conversations and to find out what is going on, 3 but do you actually then come back and feed that into 4 the continued support that may be provided through DFID 5 or FCO from here?

RT HON ANN CLWYD MP: Yes. My reports, which go to the 6 Prime Minister, and then I have a first discussion of 7 8 the findings of the report with the Prime Minister and 9 then they go into the system. They go to the Foreign 10 Secretary, I know, and presumably the International Development Secretary as well. They certainly go into 11 the system. They circulate. You see some of the 12 documents. You see how many people they have gone to 13 and so, you know, everybody is aware of my last visit 14 and my findings. 15

Some of our visits, of course, have been disrupted, as it was last time, in that I had hoped to do -- see far more people than I did last time. Because of those bombs, which happened in the first few days, the programme had to be changed.

BARONESS USHA PRASHAR: What about the human rights culture? What sort of work have you done in promoting the human rights culture, both, I think in Iraq and you have also been working with the MoD and the FCO here? Can you talk of both aspects of it?

1 RT HON ANN CLWYD MP: I tried to encourage human rights 2 thinking to enter into the thinking of the UK Government, obviously in all its work in Iraq, and 3 4 that's one of the purposes of the round table forum. BARONESS USHA PRASHAR: Are you succeeding? 5 RT HON ANN CLWYD MP: Time alone will tell. You know, 6 everybody, as we know, pays lip service to human rights. 7 8 But very often, when you want politicians to discuss 9 human rights in certain countries of the world, it is 10 very often at the bottom of the agenda, and human rights somehow, you know, kind of -- yes, well, human rights --11 12 are pushed aside. So you know, that's why I don't criticise the 13

Iraqis. They are trying hard, the Minister for Human 14 Rights, whom I see quite often -- she works in quite 15 difficult conditions. She doesn't have enough support, 16 not enough resources. She has a team that tries to 17 visit prisons and tries to keep an eye on the human 18 19 rights situation in general, but it is difficult and 20 I think that that woman needs -- the Human Rights 21 Minister in Iraq needs a lot more support, both from the 22 Iraqi Government themselves and, you know, from other 23 players.

24 But she is quite an exceptional woman. She was 25 a planner, a city planner, in Sadr City before she

1 became Human Rights Minister, and I think her approach to things is very impressive, but, you know, I wish she 2 had a lot more staff and a lot more resources. 3 4 BARONESS USHA PRASHAR: What is her approach? How is she 5 attempting to change the culture? 6 RT HON ANN CLWYD MP: Again, by impressing upon people the importance of human rights across government and not 7 8 just in the Human Rights Ministry, but across 9 government. 10 Again, it is difficult for people like her, but she does, you know, she does assert herself, and you know, 11 her staff -- there is quite a bit of outreach to prisons 12 and detention centres and so on. But I wouldn't want to 13 say this is exactly as I would like it to be because it 14 obviously isn't. 15 BARONESS USHA PRASHAR: Within the broad sort of ambit of 16 human rights, she is looking at the women's rights, the 17 18 rights of detainees and prisoners and police training. 19 I mean, all those aspects, is that what has been 20 covered? 21 RT HON ANN CLWYD MP: Yes, the FCO has one human rights dedicated worker in Iraq, one. The FCO here have one 22 23 dedicated human rights worker in what was the Iraq 24 Policy Unit but now is a much broader unit covering 25 outside Iraq as well.

1 I think one of the problems, if I may say, is, you know, the Foreign Office attachments are for a fairly 2 3 short period of time. I mean, not many people work over 4 two years in those -- you know, the Iraq Policy Unit or whatever it is called right now, and I would like to 5 see -- so the institutional memory obviously is short, 6 and I would like to see that built upon across the 7 8 board, you know, in the Foreign Office here, also in our 9 embassy in Iraq. I mean, if I can give you an example of how I would 10 like it to work and how it actually -- it is quite 11 difficult to make it work. 12 I have taken a lot of interest in detainees --13 BARONESS USHA PRASHAR: Yes, of course. 14 RT HON ANN CLWYD MP: -- and when individual cases have been 15 brought to my attention, I try to follow them up very 16 closely and one of the ones that I followed up right at 17 18 the beginning was a woman who was --19 BARONESS USHA PRASHAR: We are looking at policies here, you 20 know, on detainees, bearing in mind what the Chairman 21 said at the outset. 22 RT HON ANN CLWYD MP: Certainly, but I'm not going to talk 23 about British detainees, I'm going to talk about Iraqi 24 and American detainees, because it illustrates the difficulty of trying to get things done, and there was 25

1 one particular woman, who was -- and it has been in the press, so it is not secret. 2 3 THE CHAIRMAN: No. I think we ought to steer off 4 United States detainees for sensitivity reasons. 5 BARONESS USHA PRASHAR: You just need to talk about Iraqi detainees. 6 RT HON ANN CLWYD MP: I think that's very difficult for me, 7 8 because --9 THE CHAIRMAN: We have issues of legal professional 10 privilege that we have to respect. RT HON ANN CLWYD MP: Yes, it was a problem. 11 THE CHAIRMAN: Can we talk in general terms? 12 RT HON ANN CLWYD MP: It is not exclusively an Iraqi 13 14 problem. BARONESS USHA PRASHAR: Can we talk in general terms about 15 the concerns you have on the policy of the Iraqi 16 authorities? 17 RT HON ANN CLWYD MP: Yes. This is another detainee whose 18 case I followed up very closely with the Iraqis. It was 19 brought to my attention by an Iraqi who works in that 20 21 particular defence facility, and also with an American 22 who was attached to the human rights section of that department, and it was also brought to my attention by 23 24 our embassy in Iraq. 25 It was a man who was beaten, burned and found dead

1 in gaol, an Iraqi found in those circumstances in an Iraqi gaol. He was apparently given electric shocks 2 with a cattle prod and burned with cigarettes. In 3 4 a case that highlights what I am afraid are too common abuses suffered by detainees in Iraqi gaols, which is 5 one of the reasons that we are always prevailing on the 6 Americans not to transfer detainees too quickly into the 7 8 Iraqi system, because it didn't have the capacity and 9 still doesn't have the capacity.

10 BARONESS USHA PRASHAR: But that also points to how you train prison officers and the security forces generally. 11 RT HON ANN CLWYD MP: Well, we'd need an enormous army, 12 unfortunately, to deal, you know, with the numbers of 13 prisons that are now in Iraq, with the number of people 14 who have been transferred from US detention into Iraqi 15 detention, and this particular case, because it was 16 brought to my attention, I followed it up with the 17 Iraqi Government, with the President, with the 18 19 Prime Minister, and with others.

20 Now, you know, it is two years on and this still 21 hasn't been resolved. It was said that the person, or 22 persons, who attacked this detainee were military 23 people, who were known to others higher up in the 24 Government of Iraq. I'm determined to get to the bottom 25 of this case, because, you know, people must not think

1 there is a culture of impunity and that you can get away with doing these kinds of things. 2 BARONESS USHA PRASHAR: Are you, from the basis of 3 4 individual cases, rightly, you are pursuing, looking at 5 what needs to be done, as I say, in terms of how people are trained and made aware of proper treatment of 6 7 people? 8 RT HON ANN CLWYD MP: Yes, because all the round tables that 9 we have had at the Foreign Office have discussed things 10 like rule of law, et cetera, and we have had very detailed discussions with people who are working in Iraq 11 on our behalf, and Iraqis, you know, who have observed 12 the situation, keep asking for more training and 13 exchanges, and there have been quite a lot of exchanges, 14 as you know, of police officers, of educationists, of 15 politicians, and we are hoping, obviously, to organise 16 quite a lot of scholarships for Iraqi students to come 17 to the UK. That is under discussion and hopefully will 18 19 be underway before long. 20 BARONESS USHA PRASHAR: Can I move on to another area, which 21 is the abuses that took place under Saddam? Because you 22 have spent a lot of time dealing with some of these

23 issues.

24 What do you see as the main issues for investigation 25 of abuses during Saddam's time?

RT HON ANN CLWYD MP: Well, unfortunately, the abuses we got
 to hear about, you know, as the evidence came out, and
 I think the cases of torture are very well-known to you.
 They were appalling.

5 I was in the north of Iraq in February 2003. There was a young man who had been released from gaol, he had 6 been given some kind of amnesty. He had been in gaol 7 8 for eight years, and he talked about the kind of things 9 that went on, you know, the amputations, a hand chopped off or a foot chopped off, or branding. He talked about 10 a woman professor who was a prisoner there at the same 11 time as him. She gave birth to a baby. She didn't have 12 enough milk to give the baby. She pleaded for milk, 13 because, obviously, the diet was appalling. She pleaded 14 for milk. They refused to give her milk. The baby died 15 a few days later and she held on to the baby for three 16 days until the temperature got so high in that 17 18 particular cell that the body started smelling, and the 19 guards came, and the woman wouldn't let go of the baby 20 and they took them both away and apparently they were 21 both killed.

Another young boy, also in the same cell, a 15-year-old, who was actually crucified on a window frame. They are horrific abuses, you know, rape --BARONESS USHA PRASHAR: But this is quite a difficult area,

1 because, in terms of how you balance the question of dealing with what has gone on in the past and how do you 2 deal with the immediate issues, is there a balance to be 3 4 struck here? 5 RT HON ANN CLWYD MP: As I said earlier, yes, there is a balance to be struck, and I just think the Iraqis have 6 achieved a tremendous amount since 2003, given, you 7 8 know, the immense difficulties they have lived under, 9 the lack of electricity, the people who have had to flee 10 from the country because of kidnappings. I did actually go to Syria and to Jordan to talk to 11 some of those displaced people, and you know, I think 12 they have -- they have dealt with that situation in 13 14 a remarkable way. So that is why -- you know, I prefer the gentle 15 approach to begin with, but in the case of something 16 like that detainee I'm talking about, the people 17 responsible must not get away with that. 18 19 I don't want to see that culture of impunity 20 existing in Iraq, because, you know, that's, in my view, 21 one of the main reasons for going in there, to get rid 22 of the kind of tyranny and cruelty that was going on in 23 that country. I don't want to see it perpetuated. 24 BARONESS USHA PRASHAR: Thank you very much. 25 THE CHAIRMAN: Before coming towards the end and inviting

your final reflections, Ms Clwyd, I think one or two of my colleagues may have points that they would like to pick up, Lawrence?

4 SIR LAWRENCE FREEDMAN: Just one going right back. You had 5 spent a lot of time working with Iraqis prior to the 6 invasion, presumably -- well, obviously, you had quite 7 a lot of knowledge.

8 I'm just wondering to what extent, if at all, your 9 knowledge of the sort of state of civil infrastructure in Iraq was fed at all into the planning processes for 10 the occupation. Did you have any role in that at all? 11 RT HON ANN CLWYD MP: You know, I hadn't been able to travel 12 round Iraq, and I'm still limited in the amount of 13 travel I can do, depending on the advice of people 14 responsible for security. But obviously, I hear a lot 15 of stories and I go back to the Water Minister. 16 SIR LAWRENCE FREEDMAN: But I'm just talking about the 17 18 period up to March 2003.

19 RT HON ANN CLWYD MP: Yes, this is -- the Water Minister 20 told me the infrastructure was in a terrible condition. 21 You know, people were saying they didn't have enough 22 water, not enough electricity, and he was saying, "Well, 23 you know, the whole place was falling apart, you know, 24 prior to 2003. Things were rusting, they hadn't been 25 replaced for years". The infrastructure was rotten, and

so, after 2003, one of the things that they have had to
 do was try and repair that basic infrastructure before
 they can provide the kind of services the Iraqis should
 be receiving.

5 SIR LAWRENCE FREEDMAN: A number of government witnesses
6 have told us that they were shattered, surprised,
7 shocked by what they found of the state of
8 infrastructure.

9 Now, you have managed, through conversations with your Iraqi colleagues, to get a grasp that it actually 10 was in this terrible state, but you, yourself, weren't 11 able to feed that into the policy-making in the UK? 12 RT HON ANN CLWYD MP: Well, obviously I talked about it. 13 I talked about the conversations I had with people. 14 SIR LAWRENCE FREEDMAN: Was this with the Prime Minister? 15 RT HON ANN CLWYD MP: Yes, I would have certainly talked to 16 17 the Prime Minister.² SIR LAWRENCE FREEDMAN: So he knew from you that there were 18 real problems with the infrastructure in Iraq? 19 RT HON ANN CLWYD MP: Oh, yes, certainly. 20 21 SIR LAWRENCE FREEDMAN: What about the urgency, therefore, 22 of doing something about it after March 2003? 23 RT HON ANN CLWYD MP: Well, people, I think, were trying 24 very hard, but obviously there were attacks on -- for 25 instance, when they were trying to repair the oil

² Letter from Rt Hon Ann Clwyd MP 8 February 2010: "I would like to clarify the position in the period leading up to March 2003. Though I was hearing things from Iraqi friends with contacts in Iraq about the state of civil infrastructure, and I was making speeches and having discussions about that situation, I was not, at that time, having any direct meetings with the Prime Minister, and there was no mechanism for me to feed this information into the pre-war planning. It is not correct to say that I told the Prime Minister before March 2003 that there were real problems with the infrastructure in Iraq."



1 pipelines, which, of course, were subjected to a lot of attacks from people, you know, who were opposed to the 2 new regime, and that was a continuing problem. The 3 4 safety of the people who tried to carry out the repairs and, you know, that had to be balanced again. 5 But I think, again, you know, a lot has been 6 achieved in the meantime, and of course people 7 8 started -- you know, there was a big drain on the 9 electricity supplies, because, in 2003, when you went down the streets -- in 2003/2004, I was able to walk 10 around Baghdad, for example, and you could see all the 11 white goods being sold in the shops. Things that they 12 had been obviously denied in the past. So people, you 13 know, wanted things like laptops and washing machines 14 and dishwashers --15 SIR LAWRENCE FREEDMAN: They all needed more power? 16 RT HON ANN CLWYD MP: Yes, all needed more power. 17 SIR LAWRENCE FREEDMAN: Thanks very much. 18 19 THE CHAIRMAN: Roderic? SIR RODERIC LYNE: Yes. Can I ask you about the case of 20 21 Mrs Margaret Hassan, the hostage aid worker for many 22 years in Iraq who was taken hostage and then murdered 23 and whose remains have not been found? We have met her 24 family here. I would like to know whether this is 25 a case that you have been able to raise during your

1 visits to Iraq.

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RT HON ANN CLWYD MP: I raised the cases of hostages on many 2 3 occasions, with the President, with the Prime Minister, 4 with the religious leaders, as recently as December, when I was last there. 5 I raised again the hostages, because, of course, we 6 didn't quite know whether some were alive or dead and 7 8 you know, I expressed my own concern and obviously 9 concern on behalf of the British Government. But apart from, you know, raising those matters, when I have 10 meetings with people, I didn't get any information. 11 SIR RODERIC LYNE: But they are obviously conscious from 12 your representations that, either where the fate is not 13 known, or where the fate is known but the remains have 14 not been returned, that this is a matter of huge concern 15 and something where action, any action they were able to 16 take, would bring comfort to grieving relatives in this 17 18 country and elsewhere? RT HON ANN CLWYD MP: I absolutely agree, and almost 19 20 precisely the words that I used when I spoke to one of 21 the main religious leaders in December, because not 22 knowing -- the Iraqis know themselves what not knowing 23 means. I saw that in the Free Prisoners' Association, 24 you know, in 2003, when people were just coming in to

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find out what had happened to people, and I had a phone

1 call from a friend, who asked me, "Was there anybody alive at the prison near the airport in 2003?" and 2 I asked her why, and she said, "My uncle was there 3 4 35 years ago". So people always, quite rightly, need to know, and I do very much hope the Iraqis will answer 5 some of those questions, because, you know, for 6 everybody who has lost people, they need to know. 7 8 SIR RODERIC LYNE: Thank you.

9 RT HON ANN CLWYD MP: Can I just say at this point that, you know, I also have great understanding of those people 10 who have lost husbands, sons, during the military 11 action. You know, we sat in the House of Commons as 12 Members of Parliament feeling particularly responsible 13 when the Prime Minister read out the names of those who 14 had died, and you know, we all feel great sympathy for 15 those people, but I do hope that Iraq eventually will 16 turn out to be the kind of country that everybody can be 17 proud of, and, of course, not just British troops, but, 18 19 you know, American troops, coalition troops, civilians 20 who have died, many, many Iraqi civilians have died. 21 Then I can only say how sorry I am and -- but I hope 22 that, at the end of it, Iraq will be a much better 23 country. I know Iraqis -- I say this because Iraqis 24 tell me so often. You know, they feel great sadness

about people from this country who have given their

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lives to achieve their freedom and they certainly
 appreciate it.

3 THE CHAIRMAN: Thank you, Ms Clwyd. It has been really 4 important to this committee to hear your account of your 5 long experience of Iraq and to have this on the public 6 record. It is a very important part of the narrative 7 and one of our purposes is to establish as well-informed 8 and reliable an account as we can.

We do hope very much to visit. We can't commit yet. 9 To visit Iraq before our Inquiry is complete. We have 10 both heard for a couple of hours now what you have been 11 able to tell us and share with us, and we have also had 12 two valuable witness statements. Thank you for those. 13 Is there any other or final point that we haven't 14 given you the opportunity to cover this afternoon? 15 RT HON ANN CLWYD MP: Could I talk about a couple of things? 16 THE CHAIRMAN: Yes, please. 17

18 RT HON ANN CLWYD MP: Thank you.

19 One is the ongoing trials in Iraq. I have gone 20 there every time to the trials to see the people that we 21 wanted to indict, like Saddam Hussein, like 22 Ali Hassan Al-Majid, like Tariq Aziz, sitting in the 23 dock and the INDICT evidence is in the court. I handed 24 it all over to the American Ambassador for war crimes 25 prior to the trial starting, and it has supplied very

1 useful evidence in the trials.

Secondly, I just want to impress on the importance 2 for the Iraqis of freedom of speech. You know, we have 3 done a lot of training with the Institute of War and 4 Peace Reporting. We have supported their work in Iraq 5 and to see young journalists who previously had to write 6 stories from a supplied press release from the regime 7 8 actually thinking for themselves, and one of them saying 9 to me, when I went to watch them, and they asked me a lot of questions, and then -- or rather, I asked them 10 a lot of questions and I asked them, "Have you got 11 anything to ask me?" and his question was, "Why did it 12 take you so long?" 13

Then, one other story, this Iraqi who used to bring 14 us evidence, from 1984 onwards, to me at the House of 15 Commons about executions at the Abu Ghraib, he is now --16 he sent me an email from Iraq in 2003 telling me what 17 his proper name was and he said -- his name 18 is Khalil Al Mosawi -- and that's the first time that 19 I knew his proper name, because people were so afraid of 20 21 revealing their names, and he sold up his three 22 manufacturing businesses, invested all his money in 23 setting up a radio station in Iraq, which is now one of the best radio stations, and is about to be made an 24 25 Ambassador for the Iraqi Government.

1 So you know, there are lots of plus stories of people who went back there and are now working together 2 for their own country and they appreciate what we have 3 done for them and hopefully will continue to do so. 4 I think we have got an obligation to continue to support 5 the Iraqi Government and the people of Iraq in their new 6 democracy and in their elections, which are taking place 7 8 in a few weeks' time, and I hope to be one of the 9 election monitors. Thank you very much. THE CHAIRMAN: Thank you. I should like to thank our 10 audience, those of you who have sat this afternoon 11 through some very moving and important testimony from 12 Ann Clwyd, and we are grateful to her -- to you -- for 13 it. Thank you for that. 14 As we close, can I remind those interested that at 15 11.30 on Monday we shall resume our hearings with 16 General John McColl as our first witness, and then, in 17 the afternoon on Monday, Jack Straw will give his second 18 set of testimony, and with that, I'll declare the 19 session closed. Thank you. 20 21 (3.55 pm) 22 (The Inquiry adjourned until Monday 8 February 2010 at 11.30 am) 23 24 25